

From: tz
To: Microsoft ATR
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Subject: Microsoft Settlement

I am not in favor of the Microsoft Settlement. The last time there was an agreement - the consent decree - they didn't bundle, they integrated. Microsoft and their lawyers have insured that they can continue the worst of their monopolistic practices. At best, I may have to wait years for access to vital information while whatever board appointed argues whether I need access, and by the time they decide it will be irrelevant - I have no fast appeals or the equivalent of an injunctive relief. Second, they have added "Digital Rights Management" as something they can completely avoid saying anything about - even under NDA or other similar structure. Then they can simply add some DRM to Word, Excel, IE, and every part of the operating system - much as they did the oil-and-water DLLs so Internet Explorer couldn't be removed from Windows. Also, if I write a driver, and say support Apple or Linux, they could simply refuse to sign my windows drivers and not give a reason - The drivers could be better than any of theirs, but they could argue length, quality, "we're too busy, but should have them signed in 2007". Go back and reread the emails and the documents made public after the Caldera (DRDOS) antitrust suit - Microsoft isn't trustworthy so you need a very broad or structural agreement. Anything with Microsoft written loopholes will mean all the effort which has been spent up to now will be in vein. Declaring defeat when you have won the case would be a terrible waste of the taxpayer dollars spent thus far - those costs are sunk, and the DoJ won. Now use that victory.